

ZONING REVIEW SHEET**CASE:** C14-07-0013**P. C. DATE:** March 13, 2007**ADDRESS:** 417 West 6th Street**OWNER:** United State Post Office (Michael D. Wolfe)**AGENT:** DLA Piper US, LLP
(Jay Hailey)**REZONING FROM:** CBD (Central Business District)**TO:** CBD-CURE (Central Business District - Central Urban Redevelopment) combining district**AREA:** 1.750 Acres**SUMMARY PLANNING COMMISSION RECOMMENDATION:***March 13, 2007:****APPROVED STAFF'S RECOMMENDATION FOR CBD-CURE-CO ZONING WITH
CONDITIONS; BY CONSENT.******[G.STEGEMAN, M.DEALEY 2ND] (8-0) T.ATKINS – ABSENT*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends CBD-CURE-CO (Central Business District - Central Urban Redevelopment Conditional Overlay) combining district with conditions. The CURE combining district shall modify the floor to area ratio (FAR) from 8:1 to 11:1. The recommended conditional overlay shall restrict the daily vehicle trips to less than 6,050 unadjusted trips per day. Under a public restrictive covenant, the applicant, at owner's expense, shall participate in the Great Streets Program for portions of public right-of-way fronting the subject site that have not been improved to Great Streets standards. Furthermore, a Traffic Impact Analysis (TIA) shall be required at the time of site plan.

The Staff recommendation is based on the following considerations:

- 1.) The proposed uses are compatible with existing CBD and commercial, office, retail, and mixed-use development along West 5th Street and Nueces Street;
- 2.) The underlying zoning district shall not be changed;
- 3.) The subject site lies within the designated Core Downtown District as identified by the Downtown Austin Design Guidelines;
- 4.) The Downtown Austin Design Guidelines recommend providing dense, multi-tenant, pedestrian-oriented development at street level while encouraging the densification of the downtown core;
- 5.) The subject property lies within the downtown CURE district;
- 6.) The proposed development will not be subject to compatibility standards; and
- 7.) Great Streets Program participation via a public restrictive covenant, at owner's expense, has been recommended and approved by the City Council on CURE projects in the downtown core.

DEPARTMENT COMMENTS:

The subject property consists of a 1.750 acre site zoned CBD fronting West 6th Street, Guadalupe Street, West 5th Street, and San Antonio Street. The property is currently the site of the Downtown Post Office. The application of the CURE combining district is proposed to modify the FAR from 8:1 to 11:1, yielding a maximum height of approximately 500 feet. The proposed redevelopment is a

mixed-use project 550 condominiums, 150 room hotel, 15,000 square feet of high turn over restaurant and 25,000sf of retail.

A portion of the southernmost area of the site lies within the Downtown Parks overlay and shall be subject to the provisions of LDC [25-2-643]. The site also lies within the designated Core Downtown District as identified by the Downtown Austin Design Guidelines which recommend a dense, multi-tenant, pedestrian-oriented development at street level while encouraging the densification of the downtown core. Vehicular access is proposed off Guadalupe Street, San Antonio Street and West 5th Street. Pedestrian access is proposed off West 5th Street.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|--------------------------------|
| <i>Site</i> | CBD | Post office |
| <i>North</i> | CBD | Hotel |
| <i>South</i> | P-H | Republic Square |
| <i>East</i> | CBD | Bank |
| <i>West</i> | CBD | Parking lot / automotive sales |

WATERSHED: Shoal Creek, Ton Lake

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

CURE DISTRICT: Yes

HISTORIC DISTRICT: No

TIA: Waived (See Transportation comments)

NEIGHBORHOOD ORGANIZATIONS:

57--Old Austin Neighborhood
 402--Downtown Austin Neighborhood Assn. (DANA)
 438--Downtown Austin Alliance
 511--Austin Neighborhoods Council
 623--City of Austin Downtown Commission
 998--West End Austin Alliance
 742--Austin Independent School District
 744--Sentral Plus East Austin Koalition (SPEAK)
 767--Downtown Austin Neighborhood Coalition
 778--Austin Warehouse District Association
 786--Home Builders Association of Greater Austin

SCHOOLS:

Austin Independent School District

- Matthews Elementary School
- O. Henry Middle School
- Austin High School

CASE HISTORIES: N/A

RELATED CASES:

| NUMBER | REQUEST | PLANNING COMMISSION | CITY COUNCIL |
|--------------|-----------------|---|--|
| C14H-98-0005 | CBD to CBD-H | 07/21/98: APVD CBD-H BY CONSENT (8-0) | 08/20/98: APVD CBD-H (4-0); 1ST RDG 12/03/98: APVD CBD-H (6-0) 2ND/3RD RDGS |
| C14-00-2207 | CBD to CBD-CURE | 11/14/00: APVD STAFF REC OF CBD-CURE (6-1-1, JM-NAY, RC-ABSTAIN) | 11/30/00: APVD CBD-CURE W/CONDS (6-0); ALL 3 RDGS |
| C14-00-2208 | CBD to CBD-CURE | 11/14/00: APVD STAFF REC OF CBD-CURE (6-1-1, JM-NAY, RC-ABSTAIN) 05/21/01: HISTORIC LANDMARK COMMISSION: APVD DEMOLITION PERMITS FOR 401, 413, & 415-417 CONGRESS (9-0-1, LAKY-ABSTAIN) CONTINGENT UPON SDP FOR COUSINS STONE 4TH & CONGRESS PROJECT | 11/30/00: APVD CBD-CURE W/CONDS (6-0); ALL 3 RDGS |
| C14-05-0165 | CBD to CBD-CURE | 10/18/05: ZAP APVD CBD-CURE-CO W/CONDS (7-1-1, JP-NO, MH-ABSTAIN). | 11/17/05: APVD CBD-CURE (7-0); ALL 3 RDGS. |
| C14-06-0118 | MF-4 to CBD | 10/24/06: APVD DMU-CO W/ CONDITIONS | 12/14/06: APVD DMU-CO (6-0); ALL 3 RDGS |
| C14-06-0183 | GR to CBD-CURE | 12/12/06: APVD DMU-CO (6-2, MF/CG-NO) | 3/01/07: APVD CBD-CURE-CO WITH CONDS. (6-0-1); ALL 3 RDGS |
| C14-06-0187 | MF-4 to CBD | 11/14/06: APVD STAFF ALT REC OF DMU-H-CO (8-0) | 12/14/06: APVD DMU-H-CO (5-1, BD-NO); ALL 3 RDGS |

| NAME | ROW | PAVEMENT | CLASSIFICATION | BICYCLE PLAN | CAPITAL METRO | SIDEWALKS |
|------------------------|-----|----------|----------------|--------------|---------------|-----------|
| 6 th Street | 80' | 56' | Arterial | Yes | Yes | Yes |
| 5 th Street | 80' | 56' | Arterial | Yes | Yes | Yes |
| San Antonio Street | 80' | 56' | Collector | No | No | Yes |
| Guadalupe Street | 80' | 56' | Arterial | Yes | Yes | Yes |

CITY COUNCIL DATE:
March 22, 2007

ACTION:

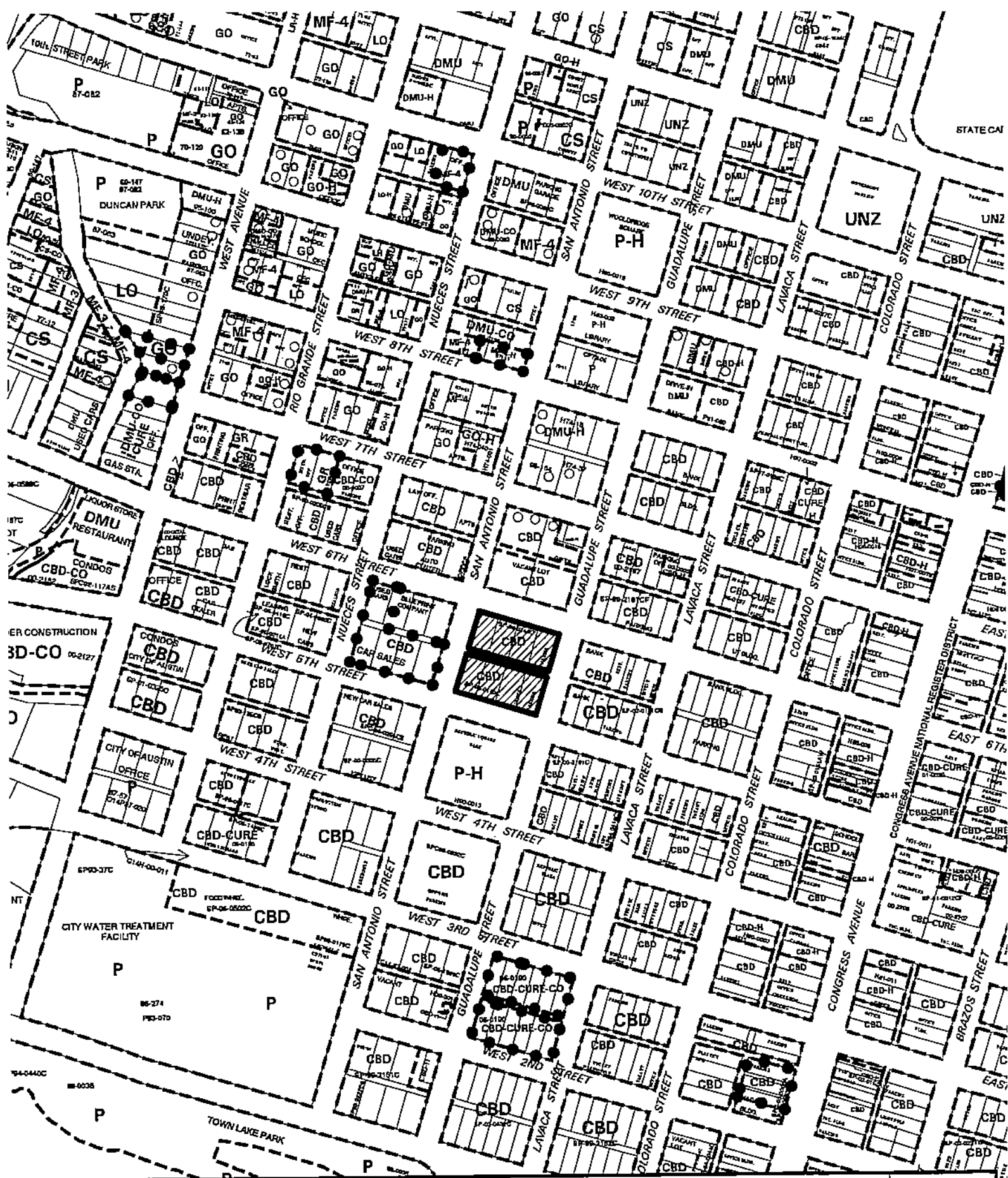
ORDINANCE READINGS: 1st 2nd 3rd




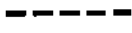
ORDINANCE NUMBER:

CASE MANAGER: Jorge E. Rousselin, NPZD

PHONE: 974-2975




E-MAIL: jorge.rousselin@ci.austin.tx.us




| | | | |
|---|--|---|---|
|  1" = 400' | SUBJECT TRACT  PENDING CASE  ZONING BOUNDARY  CASE MGR: J. ROUSSELIN | ZONING CASE #: C14-07-0013 ADDRESS: W 6TH ST SUBJECT AREA (acres): 1.750 | CITY GRID REFERENCE NUMBER J22 |
| | DATE: 07-02 | | |
| | INTLS: SM | | |
| | EAST | | |

417 W. 6th St.
C14-07-0013

Legend

-  Zoning
-  Base
-  Center Line

 N

60 0 60 120 180 Feet

C14-07-0013

STAFF RECOMMENDATION

Staff recommends CBD-CURE-CO (Central Business District - Central Urban Redevelopment Conditional Overlay) combining district with conditions. The CURE combining district shall modify the floor to area ratio (FAR) from 8:1 to 11:1. The recommended conditional overlay shall restrict the daily vehicle trips to less than 6,050 unadjusted trips per day. Under a public restrictive covenant, the applicant, at owner's expense, shall participate in the Great Streets Program for portions of public right-of-way fronting the subject site that have not been improved to Great Streets standards. Furthermore, a Traffic Impact Analysis (TIA) shall be required at the time of site plan.

BASIS FOR RECOMMENDATION

1. The proposed zoning should promote consistency, and orderly planning.

The proposed change and recommended conditional overlay with conditions is compatible with the surrounding area as it is surrounded by CBD zoning and adjacent to mixed-use and commercial development compatible to the proposed uses. Furthermore, the underlying base zoning shall not be changed and thus will not infringe in the consistency of zoning in the area.

2. The proposed zoning should be consistent with the purpose statement of the district sought.

LDC 25-2-311:

(A) The purpose of a central urban redevelopment (CURE) combining district is to promote the stability of neighborhoods in the central urban area.

(B) A CURE combining district may be used:

- (1) for sustainable redevelopment of homes, multifamily housing, and small businesses;*
- (2) to accommodate high priority projects that enhance the stability of urban neighborhoods including the development of affordable housing and small businesses along principal transportation routes that serve a neighborhood;*
- (3) to improve the natural environment; and*
- (4) to encourage high quality development with architectural design and proportion compatible with the neighborhood.*

The proposed rezoning meets the purpose statement set forth in the Land Development Code. The subject property is located within the designated CURE District and lies within the Core Downtown District as identified by the Downtown Austin Design Guidelines. The proposed redevelopment of the site will not infringe on the character of the surrounding properties.

EXISTING CONDITIONS

Site Characteristics

The subject property consists of a 1.750 acre site zoned CBD fronting West 6th Street, Guadalupe Street, West 5th Street, and San Antonio Street. The property is currently the site of the Downtown Post Office. A portion of the southernmost area of the site lies within the Downtown Parks overlay and shall be subject to the provisions of LDC [25-2-643]. The site also lies within the designated Core Downtown District as identified by the Downtown Austin Design Guidelines.

Transportation

1. No additional right-of-way is needed at this time.
2. The applicant proposes redevelopment of this lot to include: 550 condominiums, 150 room hotel, 15,000sf of high turn over restaurant and 25,000sf of retail which would generate approximately 8,737 unadjusted trips per day. The existing US Post Office generates approximately 2,704 trips per day so the net new trips on the roadways would be 6,033 per day.
3. The traffic impact analysis for this site was waived the applicant agreed to submit a TIA at the time of site plan and limit the intensity and uses for this development. If the zoning is granted, a condition should be placed on the zoning that a TIA will be submitted at the time of site plan where additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA and development should be limited through a conditional overlay to less than 6,050 unadjusted new vehicle trips per day. [LDC, 25-6-117]

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time, the site is entirely developed; therefore there are no known significant environmental features.

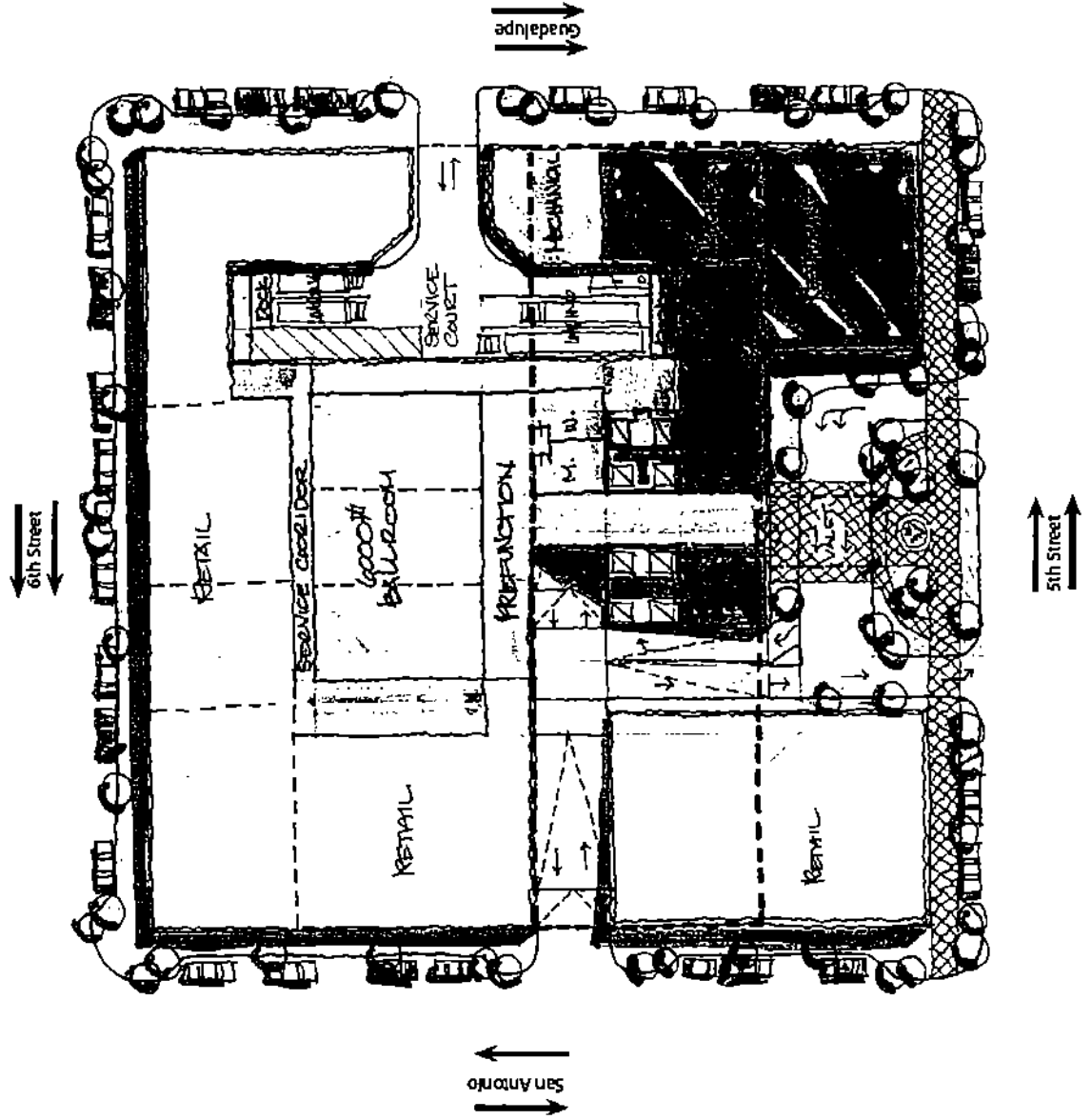
Water and Wastewater

1. The site is currently served with City of Austin water and wastewater utilities. If required, the landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and/or abandonments. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction.

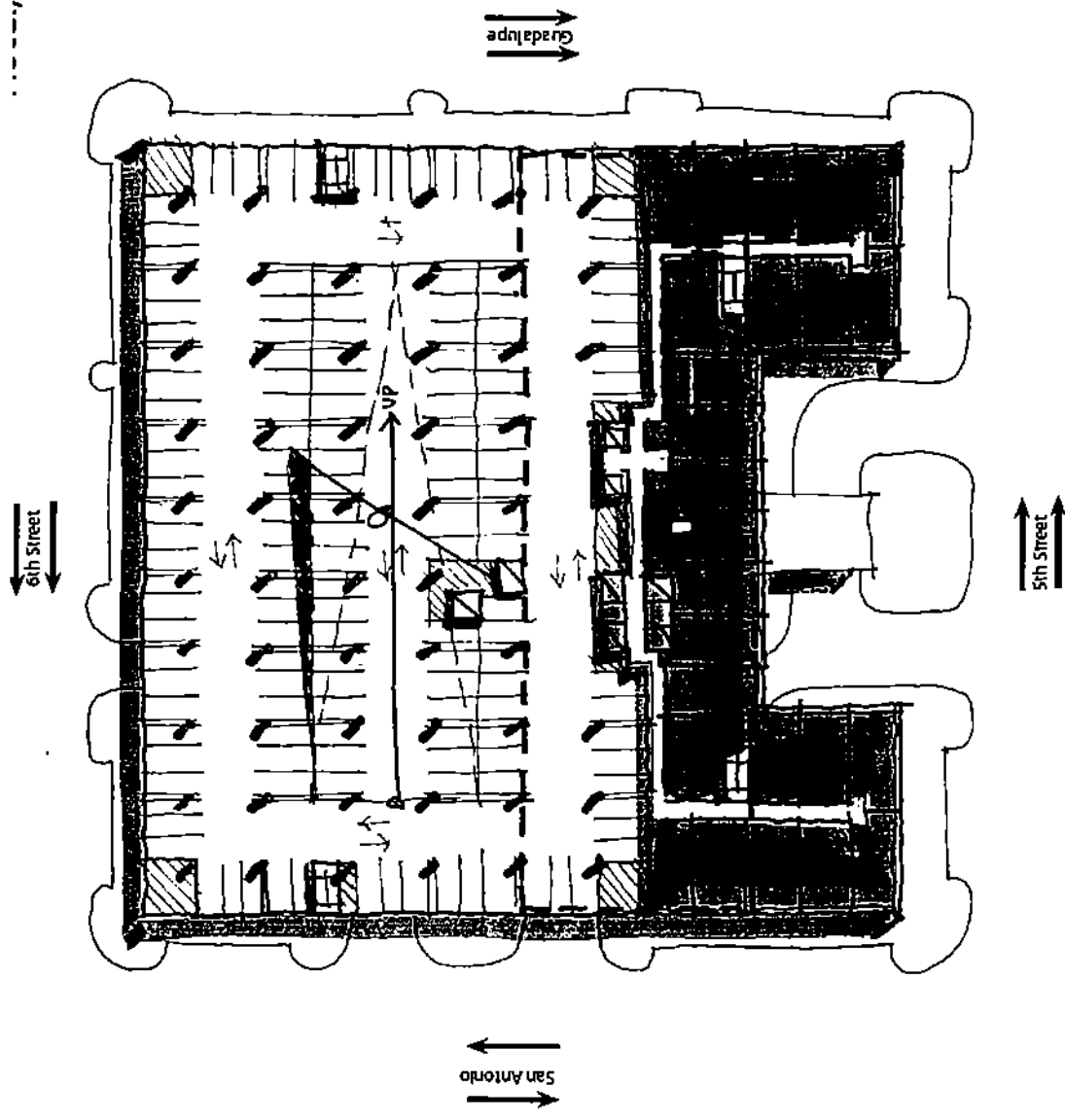
Site Plan

1. No concerns at this time.

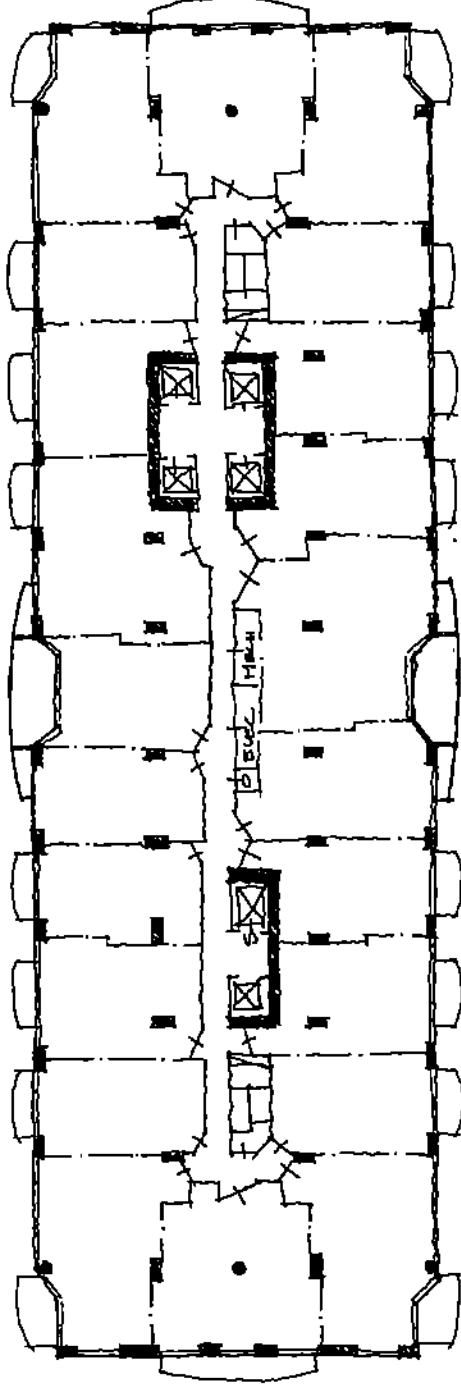
Ground floor



Lower/Hotel Floorplate



Upper Floorplate



400 Residential Units
(930 SF Average)

Pool

6 Levels of Parking - 4-900 Cars

150 Hotel Keys

Public Room

Storage

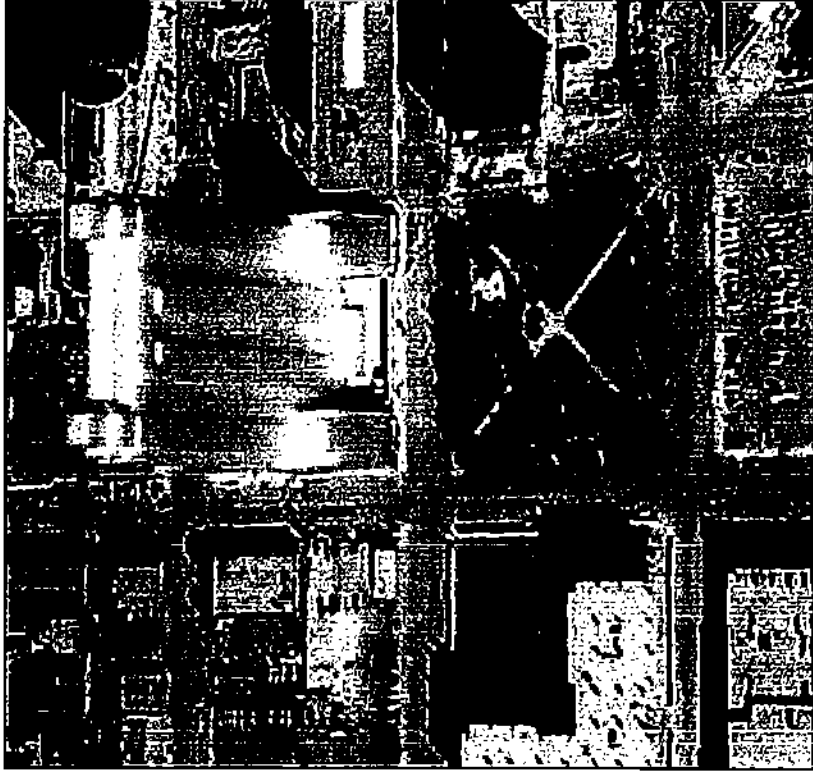
Main Entry

6TH ST

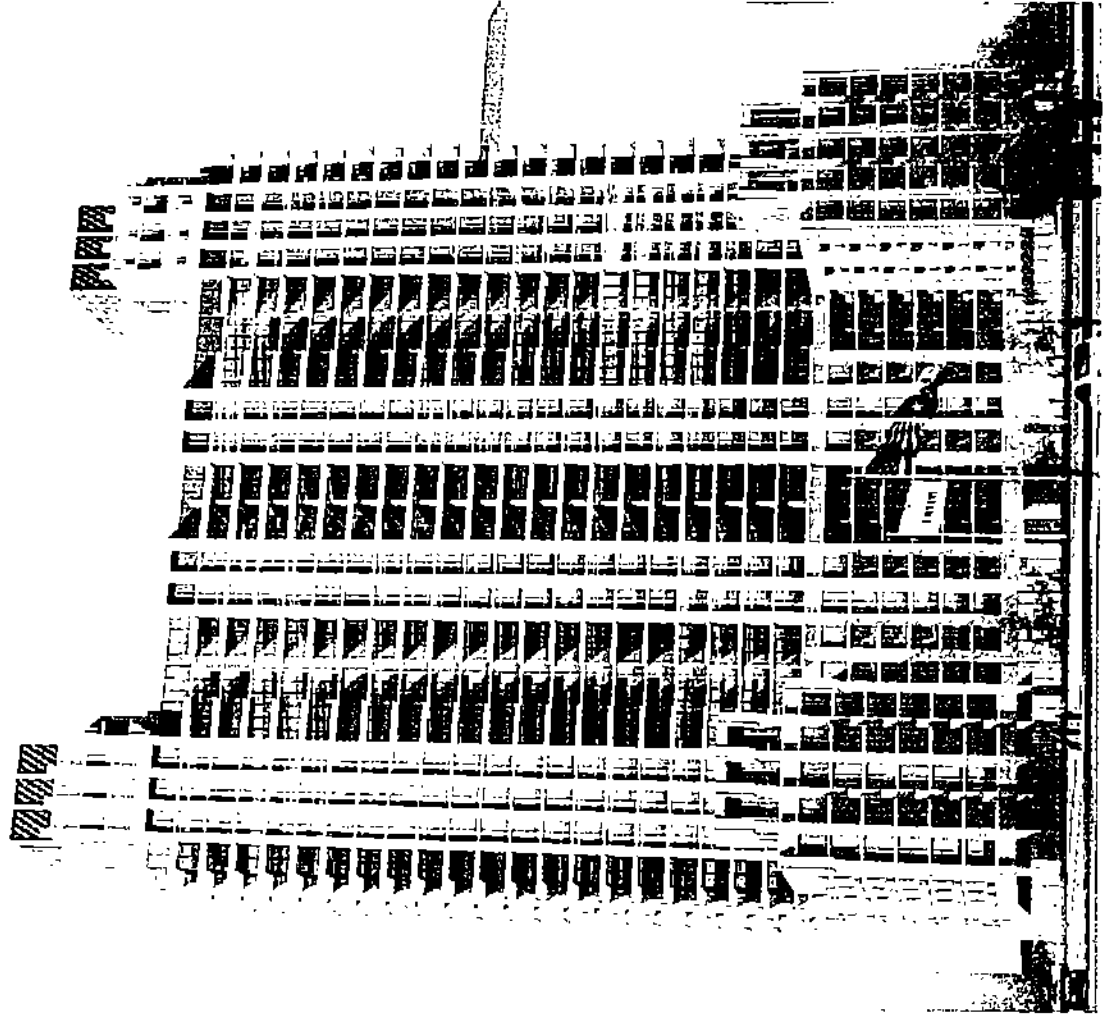
5TH ST

4TH ST

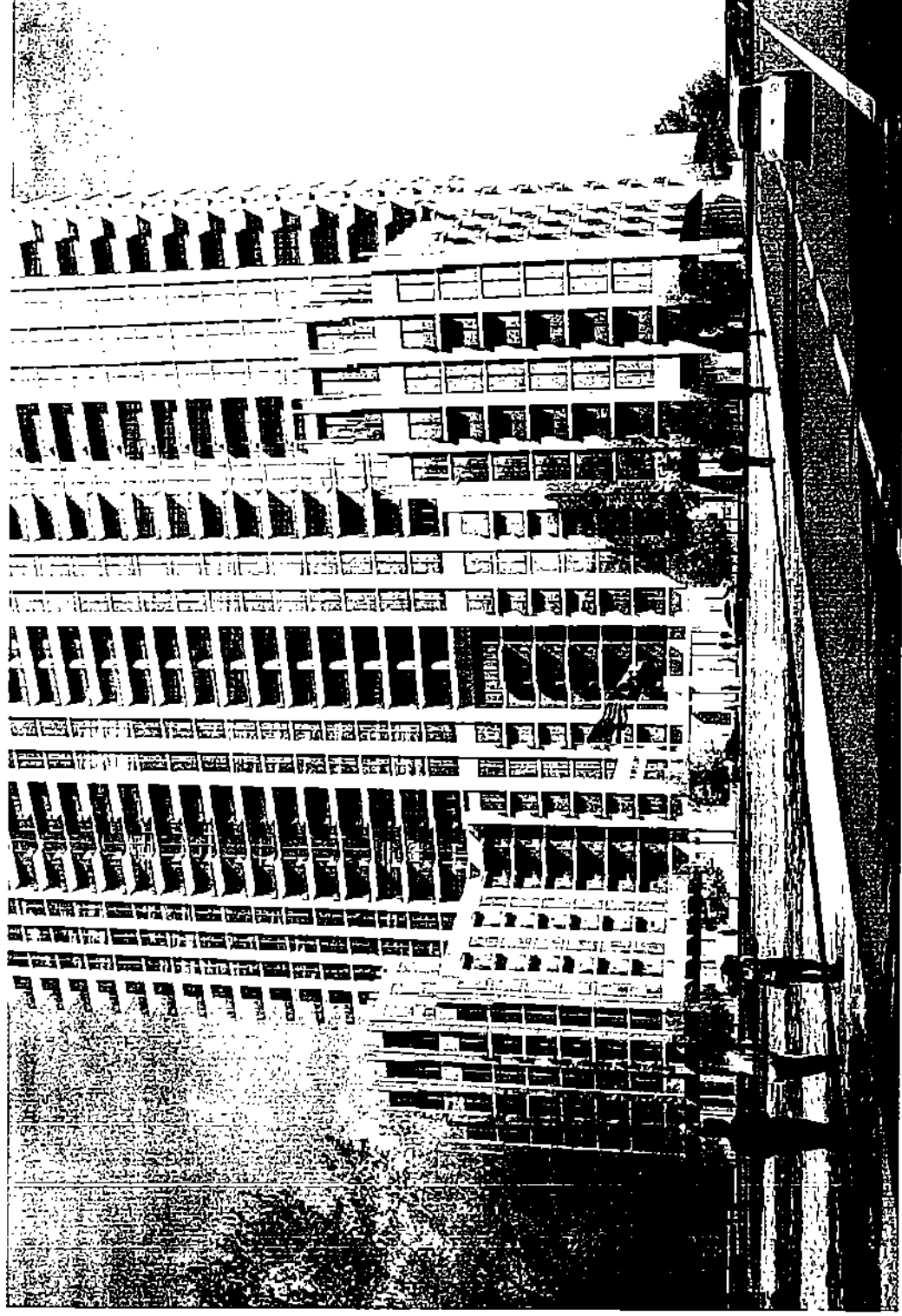
Massing



Perspective



Perspective – Porte Cochere





Since 1920

Downtown

501 West 6th Street
Austin, Texas 78701
512.478.8793 Phone
512.474.7099 Fax

North

10713 Metric Blvd.
Austin, Texas 78750
512.937.8888 Phone
512.934.9165 Fax

www.millerblueprint.com

RECEIVED

MAR 07 2007

March 7, 2007

To Mayor Will Wynn
Members of the Austin City Council
Members of Boards and Commissions

Neighborhood Planning & Zoning

We support the Post Office Projects 1 and 2 residential and mixed-use projects. CBD-CURE FAR 10-1 Project I and FAR12:1 Project II.

Since 1920 we have been located in downtown Austin. We are locally owned and operated. Stop in and you will see the 4th generation of Millers working here. Five generations ago, with their own hands, my family built structures that still stand within a block of the property to be zoned. Miller Blueprint Company currently employs over 50 employees, many of whom have been with us for decades. We maintain a retail presence selling artist's supplies and did so throughout the entire period of a declining downtown population.

We have witnessed Novare-Andrews Urban's commitment and vision for our area as it begins to transform the neighborhood into a much more livable and vibrant quadrant of downtown. The wide, tree-lined sidewalks will be a great improvement to the surface parking lots that have existed for decades and will vastly enhance the area. Moreover, we don't want to see West Sixth Street suffer the same fate as East Sixth Street. These projects will go a long way toward achieving that goal.

Increased high-density development is clearly appropriate for the proposed locations.

This is our neighborhood and we hope you see, as we do, how beneficial these projects will be to our neighborhood. Please join with us in supporting this project.

Sincerely,

Robert L. Miller, Jr.

Old Austin Neighborhood

604 West 11th Street
Austin, Texas 78701-2007
512-657-5414
ted@legaldigest.com

March 10, 2007

Mayor and City Council members
Planning Commissioners
c/o Mr. Jorge Rousselin
Case Manager
City of Austin NPZD
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

RECEIVED

MAR 12 2007

Neighborhood Planning & Zoning

Re: C14-07-0012 & C14-07-0013

Dear Mayor, City Council members and Planning Commissioners:

I am writing to you on behalf of the Old Austin Neighborhood (OAN). Our neighborhood association (#57 in the COA Community Registry) was established in 1976. OAN's boundaries are from Town Lake to West Fifteenth Street and from Lamar to Guadalupe Streets. The proposed mixed use developments referenced above are in our downtown neighborhood. I met with the applicant's representatives and the property owners regarding the proposed rezoning. It is my understanding that the request is to rezone the property from CBD to CBD-CURE with a 10:1 FAR on Post Office Project I (Block 51) and from CBD to CBD-CURE with an 11:1 far on Post Office Project II (Block 52).

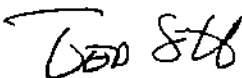
The proposed rezoning will result in projects that provided the following benefits to the Old Austin Neighborhood, all of downtown and to the City of Austin as well:

- 1) An addition of approximately 950 living units and 150 hotel rooms in downtown;
- 2) Upgrading of sidewalks and streetscapes along both West 6th Streets to Great Streets;
- 3) A voluntary and precedent setting pledge of at least \$150,000 to the Austin Parks Foundation in its private sector fundraising for improvements to Republic Square Park; and,
- 4) Significantly increasing the City of Austin's net property tax and sales base.

Some neighborhood advocates who do not live in downtown call on projects like these to pay a surcharge which they euphemistically call a "community benefits" payment. It is been Austin public policy to encourage this kind of dense primarily residential downtown development for at least 20 years. Now that these projects are finally economic to propose, and will generate large increases in our overall tax base (the most significant long term, community wide benefit), it is not good public policy to impose a surcharge.

Based upon all of these benefits, the Old Austin Neighborhood is happy to join our DANA, our partner downtown neighborhood association in fully supporting the requested rezoning as indicated above. We look forward to the addition of this valuable project to our neighborhood and to downtown Austin.

Sincerely,



Ted Siff, President
Old Austin Neighborhood Association

Daryl Kunik
Lowa, Ltd.
916 W. 12th Street
Austin, TX 78703

RECEIVED

MAR 12 2007

March 12, 2007

Neighborhood Planning & Zoning

To Mayor Will Wynn
Members of the Austin City Council & Planning Commission

Re: Rezoning request by Novare-Andrews Urban-Block 51 and 52

As the owner of retail shops at 7th and Rio Grande, I support the two upcoming projects on West 6th Street by Novare-Andrews Urban and am excited about West 6th Street becoming a major retail corridor. The rezoning request by Novare-Andrews Urban is CBD to CBD-CURE with a 10:1 FAR on Post Office Project I (Block 51) and CBD to CBD-CURE with a 11:1 FAR on Post Office Project II (Block 52).

These projects, which will bring around 950 residences, 150 hotel rooms and around 50,000 square feet of retail space, will greatly benefit the neighborhood. I respectfully recommend you to support these projects.

Regards,



Daryl Kunik



DOWNTOWN AUSTIN ALLIANCE

A Vision and a Voice for Downtown

Officers

Kent Collins, Chair
Centro Partners
Nancy Burns, Vice Chair
Norwood Tower
Amy Shaw Thomas, Secretary
University of Texas
Charles Helmsath, Treasurer
Firehouse No. 1 Corporation

Board of Directors

Lidia Agraz
Time Warner Cable
Tracy Atkins
Community Volunteer
Taylor Bowen
AMLI Residential Properties Trust
Hayden Brooks
American Realty Corporation
Cathy Conewy
Stanberry & Associates
Eric DeJurett
CB Richard Ellis
Travis Dunaway
Endeavor Real Estate Group
Tim Finley
The Finley Company
Dana Frills-Hansen
Austin Museum of Art
Cld Galindo
The Galindo Group
Margaret Gomez
Travis County
Michael Kennedy
Commercial Texas
Dennis McDaniel
Merit Texas Properties
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Treaty Oak Bank
Eva Munoz
AT&T
Paul Nuetzel
CB Richard Ellis
Gaye Polan
State Preservation Bond
John Rosato, Chair Emeritus
Southwest Strategies Group
Rob Roy Jr.
Crescent Real Estate Group
Joel Sher
Congress Holdings Group
Andy Smith
Equity Office Properties Trust
Tom Stacy
T. Stacy & Associates
Don Tuh
Stream Realty
Lee Walker
Capital Metro
Mayor Will Wynn
City of Austin

Charles Betts, Executive Director
Downtown Austin Alliance

211 East Seventh Street, Suite 100-L
Austin, TX 78701

Phone: (512) 469-1766
Fax: (512) 477-7456
Website: www.downtownaustin.com
E-Mail: dun@downtownaustin.com

RECEIVED

MAR 12 2007

Neighborhood Planning & Zoning

March 7, 2007

Mr. Taylor Andrews
Andrews Urban LLC
327 Congress Avenue, Suite 200
Austin, Texas 78701

Mr. Andrews,

At its March 2007 meeting, the Board of Directors of the Downtown Austin Alliance voted to support a zoning change to CBD-CURE with a floor-to-area ratio (FAR) of 11:1 for Blocks 51 and 52. We understand that you and your partners are seeking 10:1 FAR to allow for more density in this mixed-use project.

We are pleased to support this change that will allow the current Post Office to be rebuilt in a mixed-use project more appropriate for an urban location.

Sincerely,

Kent Collins
Chair

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-07-0013

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

March 13, 2007 Planning Commission

Charles Vaughn
Your Name (please print)

505 W. 7th #106 Austin 78701

Your address(es) affected by this application

CV Signature

Date

3-9-07

Comments:

Why do you bother to send these out? The Planning Commission is a pointless waste of time and money. With a ridiculously inaccurate map, this entire process is an insult to Austin citizens.

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P. O. Box 1088
Austin, TX 78767-8810

☒ I am in favor
☐ Object

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RECEIVED

Case Number: C14-07-0013

MAR 13 2007

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

Neighborhood Planning & Zoning

March 13, 2007 Planning Commission

☐ I am in favor
☒ I object

Alex Kozel

Your Name (please print)

311 W 5th

Your address(es) affected by this application

Jorge Rousselin

Signature

3/7/07

Date

Comments: C-14-07-0013 [Rousselin] Plan Commission City Council

I find it vulgar that Republic Park is getting surrounded by large skyscrapers. It seems the intention of the city to raise the tax roll at the expense of our beautiful parks. There will be time when this park will be affected due to lack of sunlight and the trees + wild life will suffer. I would not allow a monolith of a tower be constructed. No more than 3 stories. Dig down don't go up.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-8810